

MILPERSMAN 1050-370

APPELLATE LEAVE STATEMENT OF UNDERSTANDING

Responsible Office	NAMALA	Phone:	DSN	325-0100
			COM	(202) 685-0100
			FAX	325-0606

References	(a) 5 U.S.C. Section 301 (b) DODD 1327.5 of 29 Nov 04
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1. **Statement**. Provide the attached statement of understanding to all members placed on appellate leave.

APPELLATE LEAVE STATEMENT OF UNDERSTANDING (1)	
Name:	SSN:
PRIVACY ACT STATEMENT: "Under the authority of 5 U.S.C. 301, DOD Directive 1327.5, and MILPERSMAN 1050-100, information regarding your current and future leave address is requested in order to grant you leave pending appellate review. The information provided by you will become a permanent part of your service record. The information will be used to maintain an accurate record of your location and to allow future communications."	
Request Appellate Leave: I understand that I will be charged ordinary leave until all accrued leave (if any) is exhausted.	
Mandatory Appellate Leave: I request to: _____ take accrued leave until exhausted. _____ be paid all accrued leave. _____ take part of accrued leave and be paid for part of accrued leave.	My address while on appellate leave will be: _____ _____ My permanent home address is: _____ _____
Forward all official correspondence to my appellate leave address/permanent home address (circle choice).	
POINTS OF CONTACT:	
Administrative Matters: Once on Mandatory Appellate Leave, administrative control will shift to: Commanding Officer Navy and Marine Corps Appellate Leave Activity (NAMALA) Washington Navy Yard 1325 10 th Street SE Suite 303 Washington Navy Yard, DC 20374-5070 Phone (202) 685-0100 NAMALA will notify you of any change in your appellate leave status.	
Pay Matters: You will be in a non-pay status until final resolution of your case and your pay account will be held by: Defense Finance and Accounting Service (DFAS) Cleveland Cleveland Center Anthony J. Celebreeze Federal Building 1240 E 9th Street Cleveland OH 44199-2055 Phone (216) 522-5165, Fax (216) 522-5031 All pay inquiries will be addressed to DFAS Cleveland.	
Court Matters: Your court-martial record of trial will be forwarded to the following for review and final determination in your case: Navy and Marine Corps Appellate Review Activity (Code 40) Office of the Judge Advocate General Washington Navy Yard, Bldg 58 1254 Charles Morris Street SE, Suite B01 Washington, DC 20374-5124 Your appellate defense attorney may be reached at (800) 688-4613 or (202) 685-7290.	

APPELLATE LEAVE STATEMENT OF UNDERSTANDING (2)		
INT	UNDERSTANDING	
	I understand that I must advise my commanding officer of any change of my leave address, permanent home address, and the address for which all official correspondence may be sent.	
	I understand that I am required to keep my NAVPERS 1070/602) (Rev. 7-72), Dependency Application/Record of Emergency Data current.	
	I understand that while on appellate leave I am still on active duty and subject to orders of competent naval authority.	
	I understand that while on appellate leave, I will be in a non-pay status.	
	I understand that the appellate review process can take several months and I will remain on appellate leave until I am discharged, unless I am ordered to return for duty by proper authority to complete my service obligation, for administrative separation, or for a rehearing.	
	I understand that if the convening authority approves an unsuspended punitive discharge/dismissal, I may be placed on mandatory appellate leave at the discretion of the convening authority.	
	I understand that if the punitive discharge/dismissal is set aside, I may be processed for administrative separation, separated, or recalled for a hearing.	
	I have been counseled on my rights concerning appellate review and have been informed that I may waive appellate review within 10 days of receipt of convening authority's action or withdraw from appellate review at a future date.	
	I understand that I am not eligible to utilize Air Mobility Command for space available travel, or travel to a foreign country outside the United States and its territories.	
	I understand that my dependents and I are eligible for medical treatment through the Uniformed Service Medical Treatment Facilities. All civilian medical care claims are processed by Officer in Charge, Naval Office of Medical/Dental Affairs, Great Lakes, IL 60088-5200. Telephone number is (800) 876-1131.	
	Transportation Allowance: For all questions regarding appellant entitlements to household goods (HHG) transportation, I understand that I will refer to Joint Federal Travel Regulations (JFTR), Volume I, Uniformed Service Members, Chapter 5, Section 6, H and D8, para. B.	
I certify that I have read and understand this statement of understanding regarding appellate leave, and have been provided a copy.		
MEMBER'S SIGNATURE	WITNESS SIGNATURE	APPROVING OFFICER SIGNATURE